

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND

UNITED STATES DISTRICT COURT
2019 JAN -3 PM 6:19
DISTRICT OF MARYLAND

Chambers of
Ellen Lipton Hollander
District Court Judge

CLERK'S OFFICE
AT BALTIMORE
BY DEPUTY

101 West Lombard Street
Baltimore, Maryland 21201
410-962-0742

January 3, 2019

LETTER TO COUNSEL

Re: *State of Maryland v. United States of America, et al.*
Civil No.: ELH-18-2849

Dear Counsel:

As you know, on January 2, 2019, the Court invited counsel for the parties to submit memoranda addressing the impact of the stay in *Texas v. United States*, No. 4:18-cv-00167-O, ECF 223 (N.D. Tex. Dec. 31, 2018) on the State's standing to bring suit in the instant case. See ECF 45. In my letter, I also noted the potential complication of the partial government shutdown and asked government counsel to advise me promptly if it could not file the requested submission. In response, the government has moved to stay the Court's Order of January 2, 2019 (ECF 45), because of the partial government shutdown. ECF 47. The State opposes the stay. ECF 48.

The Court has reviewed the parties' submissions. Given the potential significance of this matter to the health and well-being of the citizens of Maryland, I shall deny the government's motion for a stay. Cf. *United States v. Baltimore Police Dep't*, JKB-17-99, ECF 173 (D. Md. Dec. 26, 2018) (denying consent motion for continuance due to partial government shutdown because "[d]eeply serious matters involving the safety and well-being of the citizens of Baltimore are at issue in this case").

Therefore, each party may, if it chooses to do so, submit a memorandum addressing the effect of the stay in *Texas v. United States*, due no later than the close of business on January 9, 2019.

Despite the informal nature of this letter, it is an Order of the Court and shall be docketed as such.

Sincerely,

/s/
Ellen Lipton Hollander
United States District Judge